

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado  
Corporation, et al.

Plaintiff(s),

vs.

RIMINI STREET, INC., a Nevada  
corporation; SETH RAVIN, an individual,

Defendant(s).

Case #2:10-CV-0106-LRH-VCF

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**

FILING FEE IS \$250.00

Benjamin P. Smith, Petitioner, respectfully represents to the Court:  
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of

MORGAN, LEWIS & BOCKIUS LLP

(firm name)

with offices at One Market, Spear Street Tower,  
(street address)

San Francisco, California, 94105-1596,  
(city) (state) (zip code)

(415) 442-1000, benjamin.smith@morganlewis.com.  
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by  
Oracle International Corporation to provide legal representation in connection with  
[client(s)]

the above-entitled case now pending before this Court.

1       3. That since December 7, 1998 (date), Petitioner has been and presently is a  
 2 member in good standing of the bar of the highest Court of the State of California (state)  
 3 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or  
 4 from the clerk of the supreme court or highest admitting court of each state, territory, or insular  
 5 possession of the United States in which the applicant has been admitted to practice law certifying  
 6 the applicant's membership therein is in good standing.

7       4. That Petitioner was admitted to practice before the following United States District  
 8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
 9 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
 10 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
U.S. District Court — Northern District of CA	December 7, 1998	197551
U.S. District Court — Eastern District of CA	December 28, 1998	197551
U.S. District Court — Southern District of CA	December 23, 1998	197551
U.S. District Court — Central District of CA	December 28, 1998	197551
U.S. Court of Appeals for the Ninth Circuit	December 28, 1998	197551
U.S.D.C. — Eastern Dist. of Texas (pro hac vice)	October 8, 2015	197551

19       5. That there are or have been no disciplinary proceedings instituted against petitioner,  
 20 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory  
 21 or administrative body, or any resignation or termination in order to avoid disciplinary or  
 22 disbarment proceedings, except as described in detail below:

23 (State "none" if Petitioner has no disciplinary proceedings, etc.)

24 None.

1           6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give  
2           particulars if ever denied admission):

3 (State "none" if Petitioner has never been denied admission.)

4 None.

6 7. That Petitioner is a member of good standing in the following Bar Associations.

7 California State Bar Association

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2  
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

12	Date of Application	Cause	Title of Court	Was Application
13			Administrative Body	Granted or
14	June 6, 2018	Rimini v. Oracle	Nev. Dist. Court	Denied
15				
16				
17				
18				

19 (If necessary, please attach a statement of additional applications)

20           9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
22 extent as a member of the State Bar of Nevada.

23           10. Petitioner agrees to comply with the standards of professional conduct required of  
24 the members of the bar of this court.

25        11. Petitioner has disclosed in writing to the client that the applicant is not admitted to  
26 practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
FOR THE PURPOSES OF THIS CASE ONLY. *[Signature]*

STATE OF California )  
COUNTY OF San Francisco )

LY.   
Petitioner's signature

Benjamin P. Smith , Petitioner, being first duly sworn, deposes and says:

That the foregoing statements are true.

  
Petitioner's signature

Subscribed and sworn to before me this

day of

Please See Attached.

~~Notary Public or Clerk of Court~~

**DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO  
THE BAR OF THIS COURT AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate Richard J. Pocker,  
(name of local counsel)  
Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate resident counsel in this action. The address and email address of said designated Nevada counsel is:

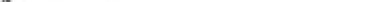
Boies Schiller & Flexner, LLP, 300 S. Fourth Street, Suite 800  
(street address)

Las Vegas, Nevada, 89101  
(city) (state) (zip code)  
(702) 382-7300, rpocker@bsflp.com.  
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.

## **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

The undersigned party(ies) appoint(s) Richard J. Pocker as  
(name of local counsel)  
his/her/their Designated Resident Nevada Counsel in this case.

  
(party's signature)

James C. Maroulis, Managing Counsel, Oracle  
(type or print party name, title)

(party's signature)

(type or print party name, title)

## **CONSENT OF DESIGNEE**

The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

Designated Resident Nevada Counsel's signature

3568 rpocker@bsflp.com  
Bar number Email address

**APPROVED:**

DATED this 22nd day of February, 2019.

LARRY R. HICKS

UNITED STATES DISTRICT JUDGE

## JURAT

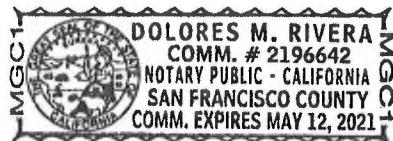
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 )  
COUNTY OF SAN FRANCISCO ) SS.

Subscribed and sworn to (affirmed) before me this 23rd day of January, 2019, by  
Benjamin P. Smith, proved to me on the basis of satisfactory evidence to be the person(s) who  
appeared before me.

WITNESS my hand and official seal.

Notary's Signature





**Supreme Court of California**

**JORGE E. NAVARRETE**

*Clerk and Executive Officer of the Supreme Court*

**CERTIFICATE OF THE CLERK OF THE SUPREME COURT**  
**OF THE**  
**STATE OF CALIFORNIA**

**BENJAMIN PATRICK SMITH**

*I, JORGE E. NAVARRETE, Clerk/Executive Officer of the Supreme Court of the State of California, do hereby certify that BENJAMIN PATRICK SMITH, #197551, was on the 7th day of December 1998, duly admitted to practice as an attorney and counselor at law in all the courts of this state, and is now listed on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court  
on the 28th day of January 2019.*

JORGE E. NAVARRETE  
*Clerk/Executive Officer of the Supreme Court*

By:   
F. Coello, Deputy Clerk